

## Amendments to the Claims

1.-8. (cancelled)

9. (currently amended) ~~The assay device of claim 1~~

An assay device comprising:

(a) a base;

(b) a cover;

(c) a clamping member for holding said cover to said base;  
and

(d) a flexure or spring element that interacts with said  
clamping member, wherein said assay device is configured  
such that said clamping member is capable of being actuated to  
apply a force to the cover and base in a manner sufficient to  
produce a substantially uniform distance between an array  
assembly and backing element along the entire length of the  
cover and base when said array assembly and backing element  
are present in said device.

wherein said array assay device comprises at least one flexure.

10. (Previously Presented) The assay device of claim 9, wherein said at least one flexure is a separate component from said base and said cover.

11. (Previously Presented) The assay device of claim 10, wherein said at least one separate flexure is a clamping member flexure.

12. (Previously Presented) The assay device of claim 10, wherein said cover is said at least one flexure.

13. (Previously Presented) The assay device of claim 10, wherein said base is said at least one flexure.

14. (Currently Amended) The assay device of claim 9, wherein said device is configured to limit the travel of at least one of said base and said cover when they are operatively held together with said clamping member.

15. (Previously Presented) The assay device of claim 14, wherein said device further includes at least one of a spacer and a hardstop for limiting said travel.

16. (Currently Amended) The assay device of claim 14, wherein said device is configured to provide a compression force along the entire length of said at least one of said spacer and said hardstop to provide a substantially uniform capillary gap between said array assembly and said backing element ~~when said clamping member is operatively actuated.~~

17.-33. (cancelled)

34. (Previously presented) The array assay device of claim 1, wherein said clamping member comprises:

- (a) a bridge comprising at least two extending arm portions that terminate in feet portions and a bore; and
- (b) a rotatable screw disposed within said bridge.

35. (Previously presented) The array assay device of claim 34, wherein when said rotatable screw is actuated the screw contacts said cover.

36. (Previously Presented) The array assay device of claim 34, wherein said arm portions comprise shoulders that allow flex upon actuation of said screw.

37. (Previously Presented) The array assay device of claim 34, wherein said feet portions of said bridge contact an underside of said base when said clamping member is operatively positioned about said cover and said base.